

Message Text

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14

ACTION MC-02

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TAGS: MILI, SP

SUBJECT: LAWS GOVERNING ARMS EXPORTS

REF: STATE 28053, MADRID 6103 (3SEP. 75) MADRID 750

1. AS WITH ARMS IMPORTS, THE BASIC LAW GOVERNING EXPORTS OF ARMS FROM SPAIN IS THE REGULATION ON ARMS AND EXPLOSIVES OF 27 DEC 1944. THE REGULATION REQUIRES ALL ARMS DEALERS TO BE AUTHORIZED BY THE MINISTRIES OF COMMERCE, INDUSTRY AND THE ARMY. ARTICLE 40 OF THE REGULATION REQUIRES ARMS EXPORTS TO BE APPROVED BY THE MINISTRIES OF FOREIGN AFFAIRS, INDUSTRY AND ARMY.

2. UNDER PREVAILING REGULATIONS THE PROCEDURE FOR EXPORTING ARMS FROM SPAIN IS AS FOLLOWS: A. ONLY AUTHORIZED ARMS DEALERS MAY EXPORT ARMS; B. THE DEALER APPLIES TO THE MINISTRY OF COMMERCE FOR PERMISSION TO EXPORT THE ARMS; C. IF THE APPLICATION MEETS ALL OTHER CRITERIA, COMMERCE SUBMITS IT TO THE MINISTRIES OF FOREIGN AFFAIRS, INDUSTRY AND THE ARMY FOR APPROVAL; D. IF THE MINISTRIES APPROVE THEN COMMERCE ISSUES THE APPROPRIATE EXPORT LICENSE. THE MINISTRY OF ARMY SETS THE DATE FOR EXPORT OF THE ARMS AND NOTIFIES THE APPROPRIATE GOVERNMENT OFFICES.

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3. ARMS IMPORTS OR EXPORTS MADE DIRECTLY BY ANY OF THE MILITARY

MINISTRIES (ARMY NAVY, AND AIR FORCE) ARE EXEMPT FROM THE STANDARD REGULATIONS. HOWEVER, IT MUST NOTIFY THE MINISTRIES OF FOREIGN AFFAIRS AND COMMERCE.

4. ARMS TRANSITING SPAIN ARE COVERED BY ARTICLE 44 OF THE REGULATION ON ARMS AND EXPLOSIVES. IN THIS CASE APPLICATIONS ARE SENT TO THE MINISTRY OF FOREIGN AFFAIRS WHICH ON APPROVAL BY THE MINISTRY OF THE ARMY, ISSUES THE APPROPRIATE TRANSIT AUTHORIZATION.

5. THE THRUST OF SPAIN'S REGULATIONS ON ARMS IMPORTS AND EXPORTS IS TO CONTROL DOMESTIC RATHER THAN FOREIGN UTILIZATION OF THE ARMS. THE EMBASSY BELIEVES THAT SPANISH GOVERNMENT OFFICIALS WOULD BE INTERESTED IN ANY EFFORTS TO IMPROVE CONTROL OF UNAUTHORIZED MOVEMENT OF ARMS INTO SPAIN. HOWEVER, WE BELIEVE GOS IS LESS INTERESTED IN CONTROL PROBLEMS WHICH HAVE NO DIRECT APPLICATION TO SPANISH DOMESTIC CONSIDERATIONS.
STABLER

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